

With regard to Palatsi, contrary to the Examiner's analysis, Palatsi's Fig. 4 does not illustrate items selected by a user being displayed hierarchically, and at the same time (as required by Applicant's claim 1) and does not illustrate operation items being displayed hierarchically, and at the same time (as required by Applicant's claim 3). In fact, as explained in Applicant's Amendment filed January 23, 2003, Palatsi discloses a portable telephone, wherein the items displayed on the LCD display 8 are only those corresponding to the "soft" keys 11, 12. That is, as shown in Palatsi's Figs. 3 and 4, rather than displaying items hierarchically, only those items corresponding to "soft" keys 11, 12 are displayed on LCD 8, once the user selects an operation (see Palatsi, column 2, line 47 through column 3, line 42). In Fig. 4 at 29 (cited by the Examiner) the only selection displayed is that of menu item "Lights" with display "On" simply indicating the current setting of the "Lights" item (see col. 3, lines 25-26). The selection of the setting takes place in a different screen where only the choices On/Off are displayed (see Fig. 4 at 26 and 28). Thus, Palatsi does not disclose or suggest displaying items hierarchically and at the same time, as required by claims 1 and 3.

Accordingly, Applicant's independent claims 1 and 3, as well the dependent claims 2 and 4-10 (which incorporate all of the novel and unobvious features of their respective base claims) are not anticipated by (i.e., are not readable on) Palatsi at least for these reasons.

As further explained in Applicant's Amendment filed January 23, 2003, in Anderson at any one given time only the functions corresponding to soft keys are displayed. (See, for example, Anderson, column 11, line 40 through column 12, line 32). That is, in Anderson, once the user selects an operation available from an initial display, subsequent display does not

provide hierarchical information with regard to the previous display. For example, referring to Anderson's, Fig. 7, a user choosing an operation from display S10, which includes at line 64 "MENU MSG PAD," will move to display S20 which no longer includes this information.

The Examiner alleges that Anderson's Fig 9A, in particular "Stem 510" (S510) shows a hierarchical display of operation items (see Office Action, page 5). Applicant respectfully disagrees. In fact, in Anderson's Fig. 9A:

screen S500 illustrates a screen which may be displayed during the stand-by mode. Depressing the msg soft key accesses the message function, whereupon if new or old messages have been received screen S510 may be displayed and if no new or old messages have been received screen S610 may be displayed. Depressing the vm soft key at screen S510 activates the voicemail feature so that such voicemail messages may be reviewed as shown in screen S520. Depressing the out soft key at screen S510 returns the display to the prior stand-by screen as shown in screen S530. The user may scroll through the text messages indicated in screen S510 as shown in screens S540, S550 and S560 (Id., col. 14, lines 51-63).

Thus, contrary to the Examiner's analysis, items "VM", "NEW" and "OUT" are not hierarchical operations, but are same level optional items which are all available for choosing on screen 510 at that time. There is no "hierarchy" associated with (or described by Anderson with regard to) items "VM", "NEW" and "OUT".

Accordingly, Applicant's independent claim 3, as well as its dependent claims 4-10 (which incorporate all of the novel and unobvious features of their base claim), are not anticipated by (i.e., are not readable on) Anderson at least for these reasons.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

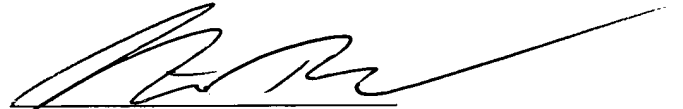
RESPONSE UNDER 37 C.F.R. § 1.111  
Appln. No.: 09/408,265

Atty Dkt No. Q55939

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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